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PATENT  
Customer No. 22,852  
Attorney Docket No. 08888.0530-00000

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: )  
)  
Patrick BENOIT et al. ) Group Art Unit: 1635  
)  
Application No.: 10/005,337 ) Examiner: Terra C. Gibbs  
)  
Filed: December 7, 2001 )  
)  
For: SEQUENCES UPSTREAM OF ) Confirmation No.: 9440  
THE CARP GENE, VECTORS )  
CONTAINING THEM AND USES )  
THEREOF )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated  
June 30, 2004, of the Examiner.

The items checked below are appropriate:

1. ☐ A Petition for extension of time to respond to the final rejection was filed on [Date] extending the period for response to [Date].
2. ☒ A Petition for extension of time to further extend the period for response to December 30, 2004, is enclosed together with a fee of \$1,020.00.
3. ☒ The Appeal Fee of \$500.00 (or \$250.00 if by small entity)  
☒ is enclosed or ☐ is to be charged to Deposit Account No. 06-0916
4. ☒ A check for \$1,520 to cover the above fees is enclosed.

12/29/2004 EABUBAK1 00000011 10005337

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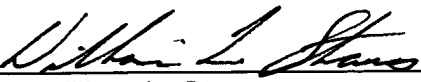
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Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 28, 2004

By:   
William L. Strauss  
Reg. No. 47,114

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
Customer No. 22,852